

MACOMB TOWNSHIP BOARD OF TRUSTEES REGULAR MEETING HELD ON  
WEDNESDAY SEPTEMBER 11, 2002  
AT 7:00 P.M.

LOCATION: MACOMB TOWNSHIP MEETING CHAMBERS  
19925 TWENTY-THREE MILE ROAD  
MACOMB, MICHIGAN 48042

PRESENT: JOHN D. BRENNAN, SUPERVISOR  
MICHAEL KOEHS, CLERK  
MARIE MALBURG, TREASURER  
TRUSTEES: KENNETH MEERSCHAERT, JR.  
JANET DUNN  
DINO F. BUCCI, JR.  
CHARLES OLIVER

ABSENT: None.

Also in attendance: Larry Dloski, Township Attorney  
Jim VanTiflin, Township Engineer  
Jerome R. Schmeiser, Community Planning Consultant  
(Additional attendance record on file with Clerk)

CALL MEETING TO ORDER

Supervisor BRENNAN called the meeting to order. Supervisor BRENNAN requested a moment of silence in recognition of September 11, 2002.

PLEDGE OF ALLEGIANCE

1. ROLL CALL
2. Approval of Agenda Items (with any addendum)

**MOTION by BUCCI seconded by MALBURG to approve the September 11, 2002 Agenda with the followings addendum's as follows:**

**Additions:**

**Planning Commission:**

- 8a. **Final Plat: Sec: 27 Cornerstone Village No. 6; located on the South side of 22 Mile Road and West of Card Road (not the immediate corner). Permanent Parcel No. 08-27-200-019.**

**Rescind Motion of Denial from the meeting minutes of August 28, 2002.**

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**Supervisor Comments:**

- 16b. Quadrate Development LLC. v Macomb Township; Authorize Attorney to Defend Macomb Township.**
- 16c. Pole Agreement with Detroit Edison to authorize the Township Supervisor to sign The Pole Agreement.**
- 16d. Authorize Township Attorney to defend: Garland Commons v Macomb Township and Landtec Investments LLC v Macomb Township.**

**EXECUTIVE SESSION:**

- 20. Grand Sakwa v Macomb Township.**
- 21. Proposed Amendment to Consent Judgement – GTR Builders v Macomb Township.**
- 22. Benzel v Macomb Township**

**MOTION carried.**

- 3. Approval of Bills

**MOTION by DUNN seconded by OLIVER to approve the bills as submitted.**

**MOTION carried.**

- 4. Approval of Meeting Minutes

**MOTION by DUNN seconded by KOEHS to approve the Meeting Minutes of August 28, 2002 as amended.**

**MOTION carried.**

- 5. Public Comments (Non Agenda items only - 3 minute time limit) None.

**PUBLIC HEARING:**

Supervisor BRENNAN opened the Public Hearing for Deerfield Park North Subdivision at 7:15 P.M.

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6. Deerfield Park North Subdivision: Street Lighting

Supervisor BRENNAN reviewed the petition with the residents representing Deerfield Park North Subdivision.

No Action taken due to an invalid petition.

Supervisor BRENNAN opened the Public Hearing for Parkview Commons Subdivision at 7:25 P.M.

7. Parkview Commons Subdivision: Street Lighting.

The Board reviewed the Parkview Common Subdivision Street Lighting proposal.

Public Portion: Subdivision residents spoke both for and against the proposal.

**MOTION by OLIVER seconded by MEERSCHAERT to adopt the Parkview Commons Subdivision: Street Lighting Resolution.**

**FOR THIS MOTION: OLIVER, MEERSCHAERT, DUNN, BUCCI, MALBURG, KOEHS, BRENNAN.**

**OPPOSED: NONE.**

**ABSENT: NONE.**

**MOTION carried.** *Refer to page 315A-315B for the resolution.*

**PLANNING COMMISSION:**

8. Final Plat: Twin Rivers Phase I; Located east of Romeo Plank Road and approximately 1000' north of Hall Road. Permanent Parcel No. 08-33-376-007.

Jerome R. Schmeiser, Community Planning Consultant reviewed the Final Plat for Twin Rivers Phase I.

Public Portion: None.

Petitioner: Vincent Dilorenzo, present. Mr. Dilorenzo held further discussion with the members of the board reviewing the Final Plat for Twin Rivers Phase I.

**MOTION by KOEHS seconded by BUCCI to approve the Final Plat: Twin Rivers Phase I Located east of Romeo Plank Road and approximately 1000' north of Hall Road. Permanent Parcel No. 08-33-376-007. The plat was approved upon the**

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**following condition: The Final Plat; Twin Rivers Phase I to include the construction of an access road from Romeo Plank Road. This motion is contingent upon the understanding that all construction traffic will access the site via Romeo Plank Road, across the later phases of Twin Rivers and over a bridge crossing the middle branch of the Clinton River. Said bridge to be restored to standards that will allow construction traffic. No construction traffic is allowed via Mapleton Drive through Westchester Farms Subdivision.**

**MOTION carried.**

- 8a. Final Plat: Sec: 27 Cornerstone Village No. 6; located on the South side of 22 Mile Road and West of Card Road (not the immediate corner). Permanent Parcel No. 08-27-200-019. (Rescind Motion of Denial from the meeting minutes of August 28, 2002)

Jerome R. Schmeiser, Community Planning Consultant reviewed the Final Plat.

Public Portion: None.

Petitioner: Mr. Aragona held further discussion with the members of the Board and Township Attorney reviewing the Final Plat for Cornerstone Village No. 6.

**MOTION by KOEHS seconded by OLIVER to rescind the previous motion of denial made on August 28, 2002 at the Township Board Meeting. Final Plat: Sec: 27 Cornerstone Village No. 6. Permanent Parcel No. 08-27-200-019.**

**MOTION carried.**

**MOTION by DUNN seconded by OLIVER to approve the Final Plat: Sec: 27 Cornerstone Village No. 6; located on the South side of 22 Mile Road and West of Card Road (not the immediate corner). Permanent Parcel No. 08-27-200-019.**

**MOTION carried.**

**NEW BUSINESS:**

9. Request to Adopt Resolution # 1: Sycamore Estates Subdivision Retention Basin

Supervisor BRENNAN reviewed the request and held further discussion with Larry Dloski, The Township Attorney.

Public Portion: None.

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**MOTION by MEERSCHAERT seconded by OLIVER to adopt resolution # 1 and schedule Wednesday October 9, 2002 for the Public Hearing Date; Sycamore Estates Subdivision Retention Basin.**

**MOTION carried.**

10. Request for Variance: Noise Ordinance Section 11-41.

Petitioner: Donald Riddell, present.

Public Portion: None.

The members of the Board held further discussion with the petitioner.

**MOTION by DUNN seconded by KOEHS to deny the Request for Variance: Noise Ordinance Section 11-41.**

**FOR THIS MOTION: DUNN, KOEHS, BUCCI, OLIVER, MEERSCHAERT, MALBURG, BRENNAN.**

**OPPOSED: NONE.**

**ABSCENT: NONE.**

**MOTION carried.**

11. Request to Adopt a Speculative Building Resolution for Lots: 11, 12 and 13 of Macomb Corporate Center.

Supervisor BRENNAN reviewed the request with the members of the Board.

**MOTION by MEERSCHAERT seconded by OLIVER to approve the Request to Adopt a Speculative Building Resolution for Lots: 11, Macomb Corporate Center.**

**FOR THIS MOTION: MEERSCHAERT, OLIVER, BUCCI, DUNN, MALBURG, KOEHS, BRENNAN.**

**OPPOSED: NONE.**

**ABSENT: NONE.**

**MOTION carried.** *Refer to page 315C - 315D for the resolution.*

**MOTION by OLIVER seconded by MEERSCHAERT to approve the Request to Adopt a Speculative Building Resolution for Lots: 12, Macomb Corporate Center.**

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**FOR THIS MOTION: OLIVER, MEERSCHAERT, DUNN, BUCCI, MALBURG,  
KOEHS, BRENNAN.**

**OPPOSED: NONE.**

**ABSENT: NONE.**

**MOTION carried.** *Refer to page 315D – 315F for the resolution.*

**MOTION by BUCCI seconded by DUNN to approve the Request to Adopt a  
Speculative Building Resolution for Lots: 13, Macomb Corporate Center.**

**FOR THIS MOTION: BUCCI, DUNN, MEERSCHAERT, OLIVER, MALBURG,  
KOEHS, BRENNAN.**

**OPPOSED: NONE.**

**ABSENT: NONE.**

**MOTION carried.** *Refer to page 315F – 315G for the resolution.*

**WATER/SEWER DEPARTMENT:**

12. Easement Encroachment Agreement, Thomas C. & Lynn M. Morrison, 56399 St. Andrews Drive, Macomb, MI 48042, Lot 136, Country Club Village of the North Subdivision.

Supervisor BRENNAN reviewed the request.

Public Portion: None.

**MOTION by MEERSCHAERT seconded by KOEHS to approve the Easement  
Encroachment Agreement, Thomas C. & Lynn M. Morrison, 56399 St. Andrews  
Drive, Macomb, MI 48042, Lot 136, Country Club Village of the North Subdivision.**

**MOTION carried.**

13. Easement Encroachment Agreement, Victor W. Szalma and Catherine E. Schauer, 19826 Barchester Drive, Macomb, MI 48044, Lot 256, Buckingham Woods Subdivision #1.

Supervisor BRENNAN reviewed the request.

Public Portion: None.

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**MOTION by OLIVER seconded by MALBURG to approve the Easement Encroachment Agreement, Victor W. Szalma and Catherine E. Schauer, 19826 Barchester Drive, Macomb, MI 48044, Lot 256, Buckingham Woods Subdivision #1.**

**MOTION carried.**

14. Easement Encroachment Agreement, Timothy P. & Rebecca L. Stayer 17024 Tower Drive, Macomb, Lot 54, Cross Creek Subdivision.

Supervisor BRENNAN reviewed the request.

Public Portion: None.

**MOTION by BUCCI seconded by MALBURG to approve the Easement Encroachment Agreement, Timothy P. & Rebecca L. Stayer 17024 Tower Drive, Macomb, Lot 54, Cross Creek Subdivision.**

**MOTION carried.**

15. Approval of Purchase Requisitions  
a. US Filter Dist. Group  
b. Modernistic Cleaning Services

**MOTION by DUNN seconded by OLIVER to approve the purchase requisitions 15a. US Filter Dist. Group as submitted.**

**MOTION carried**

No action taken. The Township Board on August 28, 2002 had granted the approval of Requisition 15b. as stated by member BUCCI.

**BOARD COMMENTS:**

- 16a. Supervisor Comments  
1. Park & Recreation Director

Supervisor BRENNAN held a detailed discussion regarding Salvatore A. Dicaro, the New Park & Recreation Director.

**MOTION by KOEHS seconded by BUCCI to validate the informal poll and to hire Salvatore A. Dicaro for the Park & Recreation Director position.**

**MOTION carried.**

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- 16b. Quadrate Development LLC. v Macomb Township; Authorize Attorney to  
Defend two tax tribunal cases for Macomb Township.

**MOTION by KOEHS seconded by DUNN to Authorize the Township Attorney to  
defend two tax tribunal cases: Quadrate Development LLC. v Macomb Township.**

**MOTION carried.**

- 16c. Pole Agreement with Detroit Edison request to authorize the Township Supervisor  
to sign the Poll Agreement.

**MOTION by OLIVER seconded by DUNN to approve the Pole Agreement with  
Detroit Edison and authorize the Township Supervisor to sign the Pole Agreement.**

**MOTION carried.**

- 16d. Authorize Township Attorney to defend: Landtec LLC v Macomb Township and  
Garland Commons v Macomb Township

Supervisor BRENNAN reviewed the request.

**MOTION by DUNN seconded by KOEHS to Authorize Township Attorney to  
defend: Landtec LLC v Macomb Township and Garland Commons v Macomb  
Township.**

**MOTION carried.**

17. Clerk's Comments None.

18. Treasurer's Comments None.

19. Trustee's Comments

Member OLIVER stated his concerns of 24 Mile Road grading. Member DUNN  
reviewed with the Supervisor BRENNAN the status of the new Township Hall.  
Supervisor BRENNAN held a discussion regarding closing the Township facility for one  
week for the purpose of relocating to new location.

**MOTION by DUNN seconded by OLIVER to approve the closing of the Township  
Offices from September 30, 2002 through October 4, 2002 for the purpose of  
relocating to new location.**

**FOR THIS MOTION: DUNN, OLIVER, MEERSCHAERT, MALBURG, BUCCI,  
KOEHS, BRENNAN.**



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**OPPOSED: NONE.**

**ABSENT: NONE.**

**MOTION carried.**

Member DUNN held further discussion regarding an opening ceremony for the New Township Hall.

Supervisor BRENNAN updated the Board regarding the new recreation building status.

**MOTION by KOEHS seconded by MEERSCHART to adjourn into Executive Session at 8:15P.M.**

**MOTION carried.**

Meeting reconvened at 8:40 P.M

**EXECUTIVE SESSION:**

20. Grand Sakwa v Macomb Township. Informational only.
21. Proposed Amendment to Consent Judgement – GTR Builders v Macomb Township.

**MOTION by KOEHS seconded by OLIVER to allow GTR Builders to construct Windemere Farms building number two (2) as a model and to occupy no more than four (4) units.**

**MOTION carried.**

22. Benzel v Macomb Township

**MOTION by KOEHS seconded by MEERSCHAERT to accept the mediation offer regarding Benzel v Macomb Township.**

**MOTION carried.**

**ADJOURNMENT**

**MOTION by MEERSCHAERT seconded by DUNN to adjourn the meeting at 8:47 P.M.**

**MOTION carried.**

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Respectfully,

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John D. Brennan, Supervisor

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Michael D. Koehs, Clerk

Gabrielle M. Baker, Recording Secretary  
MDK/gmb